

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2022 MAR 14 PM 4:40

CLERK

BY LAW  
DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON BENJAMIN,

Defendant,

and

SNOWMOBILE VERMONT, and its  
successors or assigns,

Garnishee.

Misc. No. 2:20-MC-8

Related to Docket No. 5:11-CR-24-01

**ORDER OF CONTINUING GARNISHMENT**

A Writ of Continuing Garnishment, directed to Garnishee, has been duly issued and served upon the Garnishee. Pursuant to the Writ, the Garnishee filed an Answer on February 7, 2022, stating that at the time the Writ was served it had in its possession or under its control personal property belonging or due the Defendant. The instructions to Garnishee required it to serve a copy of the Answer on the Defendant and the Garnishee's Answer reflects that a copy of the Answer was served on the Defendant.

On January 26, 2022, the Defendant was notified of his right to a hearing to contest the Garnishee's Answer by Certified Mail - Return Receipt Requested and First Class Mail at his current address. The Defendant refused or neglected to accept receipt of the Certified Mail and the same is being returned as "unclaimed". The notice sent to the Defendant's last known address by First Class Mail was not returned and delivery is presumed. Any objection to the Answer was

due by February 27, 2022. The Defendant has not requested a hearing or otherwise disputed the garnishment, and the time for disputing the same has expired. \*

IT IS ORDERED that Garnishee pay to the United States the amount of the lesser of:

A. Twenty-five percent (25%) of Defendant's disposable earnings for each pay period;

OR

B. All amounts of the Defendant's disposable earnings for each pay period in excess of thirty (30) times the federal minimum hourly wage. See 15 U.S.C. § 1673(a).

IT IS FURTHER ORDERED that Garnishee continue to withhold and pay the United States all future payments until Defendant's debt to the Plaintiff is paid in full, or until the Garnishee no longer has custody, possession, or control of any property belonging to the Defendant, or until further Order of this Court, whichever comes first.

To calculate disposable earnings, subtract the following from wages, commissions, and income: 1) Federal income tax; 2) FICA tax; 3) State income tax; and 4) State statutory withholdings.

Payments shall be made at least monthly made payable to **Clerk, U.S. District Court** and mailed to P.O. Box 945, Burlington, VT 05402.

Dated at Burlington, in the District of Vermont, this 14<sup>th</sup> day of March, 2022.



CHRISTINA REISS

United States District Judge

\* Defendant may petition the court for a hearing within thirty (30) days of this order so that the court may consider defendant's ability to pay. CR